B. THE CLAIMS

1. (Cancelled) A surgical device having a longitudinal axis extending between a proximal end and a distal end, comprising: tissue engaging means including first and second opposed jaws for grasping, securing, and occluding body tissue and conduits; a shaft member operatively coupled to the tissue engaging means, the shaft member capable of being placed in different curvatures; and a handle assembly operatively coupled to the shaft member and to the tissue engaging means.

2. (Cancelled) The surgical device of claim 1 further comprising a jaw actuating means for actuating the jaws of the tissue engaging means between an open position and a closed position, the actuating means being operatively connected to the tissue engaging means and to the handle assembly.

3. (Cancelled) The surgical device of claim 2 wherein the shaft member comprises a malleable tube with the jaw actuating means extending axially there through.

4. (Cancelled) The surgical device of claim 2 wherein the shaft member comprises a series of interconnected ball and socket segments with the jaw actuating means extending axially there through.

5. (Cancelled) The surgical device of claim 2 wherein the shaft member comprises soft metal tubing with the jaw actuating means extending axially there through.

6. (Cancelled) The surgical device of claim 2 wherein the shaft member comprises wound metal tubing with the jaw actuating means extending axially there through.

7. (Cancelled) The surgical device of claim 2 wherein the shaft member comprises a dual-channeled plastic tube having a first and a second channel, the jaw actuating means extending axially through the first channel and a malleable rod extending axially through the second channel.

8. (Cancelled) The surgical device of claim 1 further comprising a compression return spring for biasing the tissue engaging means to an open position.

9. (Cancelled) The surgical device of claim 1 wherein the tissue engaging means further includes a hinged end at which the jaws are hinged together.

10. (Cancelled) The surgical device of claim 9 further comprising a jaw actuating means for actuating the jaws of the tissue engaging means between an open position and a closed position, the actuating means operatively connected to the tissue engaging means and to the handle assembly.

11. (Cancelled) The surgical device of claim 10 wherein the jaw actuating means comprises a drive rod.

12. (Cancelled) The surgical device of claim 11 wherein a jaw actuating member is provided at the hinged end of the tissue engaging means for squeezing together the jaws of the tissue engaging means in response to actuation of the drive rod by the handle assembly.

13. (Cancelled) The surgical device of claim 10 wherein the jaw actuating means comprises a cable.

14. (Cancelled) The surgical device of claim 13 wherein the hinged end of the tissue engaging means includes a hole there through, the hole interacting with a hook provided at one end of the cable.

15. (Cancelled) The surgical device of claim 14 wherein the shaft member is provided with a end member which, upon actuation of the cable by the handle assembly, interacts with the jaws of the tissue engaging means to bring the jaws to the closed position.

16. (Cancelled) The surgical device of claim 10 wherein the jaw actuating means comprises a wire member having a hook at one end operatively coupled to the jaws of the tissue engaging means.

17. (Cancelled) The surgical device of claim 18 wherein each jaw is provided with a diagonal slot at one end, the hook of the wire member interacting with the diagonal slots of the jaws to move the jaws between the open and closed positions.

18. (Cancelled) The surgical device of claim 17 further provided with a clevis which houses a portion of the wire member and the slotted ends of the jaws.

19. (Cancelled) The surgical device of claim 10 wherein one jaw of the tissue engaging means is provided with a slot at one end, the jaw actuating means being operatively coupled with the slot via a pin.

20. (Cancelled) The surgical device of claim 11 wherein the tissue engaging means is further provided with a socket for coupling to the jaw actuating means.

21. (Cancelled) The surgical device of claim 20 wherein one end of the jaw actuating means is provided with a ball for coupling to the socket of the tissue engaging means.

22. (Cancelled) The surgical device of claim 21 wherein another end of the jaw actuating means is provided with a ball for coupling to the handle assembly.

23. (Cancelled) The surgical device of claim 1 wherein the tissue engaging means and the shaft member are disposable.

24. (Cancelled) The surgical device of claim 1 wherein the tissue engaging means is disposable.

25. (Cancelled) The surgical device of claim 1 wherein the shaft member is disposable.

26. (Cancelled) A surgical device having a longitudinal axis extending between a proximal end and a distal end, comprising: tissue engaging means including first and second opposed jaws for grasping, securing, and occluding body tissue and conduits; a shaft member operatively coupled to the tissue engaging means, the shaft member capable of being placed and locked in different curvatures; a handle assembly operatively coupled to the shaft member and to the tissue engaging means; and a jaw actuating means for actuating the jaws of the tissue engaging means between an open and a closed position.

27. (Cancelled) The surgical device of claim 26 wherein the jaw actuating means comprises a cable operatively connected to the tissue engaging means, extending through the shaft member, and operatively connected to the handle assembly.

28. (Cancelled) The surgical device of claim 27 wherein the shaft member comprises a series of interconnected ball and socket segments with the jaw actuating cable extending axially there through.

29. (Cancelled) The surgical device of claim 28 further comprising a tightening knob for exerting axial compression on the segments, thereby allowing the shaft member to be locked in any shape.

30. (Cancelled) The surgical device of claim 27 wherein the shaft member comprises a flexible tube with the jaw actuating cable extending axially there through.

31. (Cancelled) The surgical device of claim 30 further comprising a malleable applier instrument for grasping the jaws of the tissue engaging means for insertion together into an incision.

32. (Cancelled) The surgical device of claim 31 wherein the malleable applier instrument is capable of being released and removed from the incision once the jaws of the tissue engaging means have been actuated to the closed position.

33. (Cancelled) A surgical device having a longitudinal axis extending between a proximal end and a distal end, comprising: tissue engaging means including first and second opposed jaws for grasping, securing, and occluding body tissue and conduits; a shaft member operatively coupled to the tissue engaging means, the shaft member being constructed of malleable material and thus capable of being placed in different curvatures; a handle assembly operatively coupled to the shaft member and to the tissue engaging means; and a jaw actuating means for actuating the jaws of the tissue engaging means between an open and a closed position, the jaw actuating means extending axially through the shaft member and being provided with coupling means at each end which enable the jaw actuating means and the shaft member to be separated from the remainder of the device to be disposed.

34. (Cancelled) The surgical device of claim 33 wherein the tissue engaging means is provided with a socket for coupling to the jaw actuating means.

35. (Cancelled) The surgical device of claim 34 wherein the coupling means of the jaw actuating means comprises a first ball provided at one end of the actuating means for coupling with the socket of the tissue engaging means.

36. (Cancelled) The surgical device of claim 35 wherein the coupling means of the jaw actuating means further comprises a second ball provided at another end of the jaw actuating means for coupling with the handle assembly.

37. (Currently amended) A surgical clamp comprising:

an elongate, one-piece, malleable hollow shaft including a distal end and a proximal end, the elongate, one-piece, malleable hollow shaft positional in different curvatures without the assistance of a positioner;

a tissue clamp assembly including first and second movable opposable jaws mounted at the distal end adopted to grasp, secure and occlude body tissue and conduits;

a handle assembly including first and second movable arms mounted at the proximal end; and

an elongate actuator disposed within the hollow shaft including a first end operatively connected to the tissue clamp assembly and a second end operatively connected to the handle assembly such that when the handle arms are moved from a first relative position to a second relative position, the first and second jaws of the tissue clamp assembly are moved between an open spaced apart position and a closed tissue gripping position or vice versa.

38. (Original) A malleable surgical clamp as defined in claim 37, wherein the malleable hollow shaft comprises soft metal tubing.

39. (Original) A malleable surgical clamp as defined in claim 37, wherein the malleable hollow shaft comprises wound metal tubing.

41. (Currently amended) [A malleable surgical clamp as defined in claim 37, wherein] A surgical clamp comprising:

an elongate, one-piece, malleable hollow shaft including a distal end and a proximal end, the malleable hollow shaft comprises a multi-lumen thermoplastic polymer tubing[, the elongate actuator being];

a tissue clamp assembly including first and second movable opposable jaws mounted at the distal end adopted to grasp, secure and occlude body tissue and conduits;

a handle assembly including first and second movable arms mounted at the proximal end; and

an elongate actuator disposed in a first lumen of the multi-lumen tubing and the hollow shaft further including a malleable rod disposed in a second lumen of the multi-lumen tubing, the elongate actuator including a first end operatively connected to the tissue clamp assembly and a second end operatively connected to the handle assembly such that when the handle arms are moved from a first relative position to a second relative position, the first and second jaws of the tissue clamp assembly are moved between an open spaced apart position and a closed tissue gripping position or vice versa.

42. (Cancelled) A malleable surgical clamp as defined in claim 37, wherein the malleable hollow shaft is capable of being placed in different curvatures.

43. (Withdrawn) A surgical clamp comprising:

an elongate malleable hollow shaft including a distal end and a proximal end, the shaft comprises a plurality of uniform shaft segments;

a tissue clamp assembly including first and second movable opposable jaws mounted at the distal end;

a handle assembly including first and second movable arms mounted at the proximal end; and

an elongate actuator disposed within the hollow shaft including a first end operatively connected to the tissue clamp assembly and a second end operatively connected to the handle assembly such that when the handle arms are moved from a first relative position to a second relative position, the first and second jaws of the tissue clamp assembly are moved between an open spaced apart position and a closed tissue gripping position or vice versa.

44. (Cancelled) The malleable surgical clamp of claim 43 wherein the uniform shaft segments each have a receiving end and an outwardly projecting engaging end.

45. (Withdrawn) The malleable surgical clamp of claim 44 wherein the receiving end is a socket and the outwardly projecting engaging end is substantially hemispherically shaped.

46. (Withdrawn) A surgical device having a longitudinal axis extending between a proximal end and a distal end, comprising:

tissue engaging means including first and second opposable jaws mounted at the distal end for grasping, securing and occluding body tissue and conduits;

a shaft member operatively coupled to the tissue engaging means, the shaft member being constructed a plurality of pellets disposed within an outer tubing, the tubing being made of malleable material, the shaft member capable of being placed in different curvatures, each pellet having at least on jaw activating passage;

a handle assembly operatively coupled to the shaft member and to the tissue engaging means; and

a jaw actuating means for actuating the first and second jaws of he tissue engaging means between an open and a closed position, the jaw actuating means extending through the at least one passage of each of the pellets.

47. (Withdrawn) The surgical device of claim 46 wherein each pellet includes a curved recess positioned opposite a curved projecting surface, wherein at least one passage extends from the curved recess to the opposite curved projecting surface, and wherein the curved projecting surface of one pellet movably engages the recess of another pellet forming a ball and socket type interface between adjacent pellets.

48. (Withdrawn) The surgical device of claim 46 wherein the outer tubing comprises heat shrink tubing.

49. (Withdrawn) The surgical device of claim 46 wherein the jaw actuating means extends axially through the shaft member and being provided with coupling means at each end which enable the tissue engaging means and the shaft member to be separated from the remainder of the device.

50. (Withdrawn) The surgical device of claim 46 wherein the outer tubing has a proximal end and a distal end, and wherein the transverse cross-sectional area of the outer tubing increases the distal end to the proximal end.

51. (Withdrawn) A surgical device having a longitudinal axis extending between a proximal end and a distal end, comprising:

tissue engaging means including first and second opposable jaws for grasping, securing and occluding body tissue and conduits;

a shaft member operatively coupled to the tissue engaging means, the shaft member including a series of interconnected ball and socket segments and an outer tubing, the ball and socket segments disposed within the outer tubing, the shaft member capable of being placed in different curvatures;

a handle assembly operatively coupled to the shaft member and to the tissue engaging means; and

a jaw actuating means for actuating the jaws of the tissue engaging means between an open and a closed position, a first end of the jaw actuating means being operatively connected to the handle assembly, the jaw actuating means extending through the plurality of ball and socket segments and a second end operatively connected to tissue engaging means.

52. (Withdrawn) The surgical device of claim 51 wherein each segment includes a curved recess positioned opposite a curved projecting surface, wherein each segment includes at least one passage extending from the curved recess to the opposite curved projecting surface, and wherein the curved projecting surface of one pellet movably engages the recess of another segment.

53. (Withdrawn) The surgical device of claim 51 wherein the outer tubing comprises heat shrink tubing.

54. (Withdrawn) The surgical device of claim 51 wherein the outer tubing has a proximal end and a distal end, and wherein the transverse cross-sectional area of the outer tubing increases the distal end to the proximal end.